



Michigan Supreme Court
State Court Administrative Office
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John D. Ferry, Jr., State Court Administrator

DATE: July 16, 2004

TO: Chief Circuit Judges, Chief District Judges, Presiding Family Division Judges
cc: Court Administrators, County Clerks, Juvenile Registers

FROM: John D. Ferry, Jr.

RE: State Court Administrative Memorandum 2004-09
SCAO Approved Forms MC 288 and MC 290

To assist courts with collecting outstanding financial obligations from criminal defendants sentenced to the Department of Corrections (DOC), the State Court Administrative Office (SCAO) has approved form [MC 288](#), Order to Remit Prisoner Funds for Fines, Costs, and Assessments, and form [MC 290](#), Satisfaction of Financial Obligation.

SCAO has worked with DOC to develop a process and form that will enable an effective process to collect funds available from prisoner accounts for payment toward fines and costs. The process mirrors the current process used by DOC to collect funds for payment of restitution.

Effective immediately, courts should use form MC 288 for all financial sanctions ordered by the court, **excluding** restitution. Because DOC is already required by statute (MCL 791.220h) to collect for restitution, restitution is **not** to be included on form MC 288. When a circuit court sentences a defendant to prison, the MC 288 form should be attached to the judgment of sentence.

When issuing the order to remit prisoner funds (MC 288) for old circuit court cases, it is not necessary to attach the judgment of sentence. DOC will have already been notified to collect for restitution based upon the restitution amount reflected on the judgment of sentence originally submitted. When a district court issues an order to remit funds, or when a circuit court issues an order to remit funds on a case for which the prisoner was not sentenced to prison, a copy of the judgment of sentence should be included with the MC 288 form.

Payments received from DOC should be distributed as required by statute. MCL 775.22 requires that payments be distributed 50% to victim payments (crime victim rights and restitution) and 50% in the following order of priority: state minimum costs, other costs, fines, probation or parole supervision fees, assessments, and other payments.

The satisfaction of financial obligation (MC 290) should be issued to DOC when the court-ordered financial obligation, including restitution, is paid in full.

The forms are available at <http://courts.michigan.gov/scao/courtforms/generalcriminal/gcrindex.htm>.

Questions may be directed to Beth Barber, Trial Court Collections Project Manager, by phone (517-373-5895) or e-mail (barberb@courts.mi.gov).